

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE LICENSE OF

GREGORY B. JACKSON, M.D.

Respondent

ORDER GRANTING PETITION FOR SUMMARY SUSPENSION
AND SUSPENDING THE LICENSE

TO: Gregory B. Jackson, M.D.
5710 South Marilyn Street
Milwaukee, WI 53221

Arthur Thexton, Esq.
Department of Regulation & Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708

The board filed its Order Granting the Limited License in the above-captioned matter on August 18, 1991. The Order, to which respondent stipulated, imposed a number of terms and conditions on respondent's license, including that he abstain from all use of alcohol and controlled substances. The Order also provided that violation of its terms would result in summary suspension of the license.

On September 13, 1991, the Department of Regulation and Licensing, petitioner herein, by Attorney Arthur Thexton, filed its Petition for Summary Suspension of License in the above-captioned matter, petitioning the Medical Examining Board to issue an order pursuant to Wis. Stats. sec. 227.51(3) for the summary suspension of respondent's license to practice medicine and surgery in the State of Wisconsin. Respondent was notified of the petition, and of the time and place when the petition was to be presented to the board, by personal service made by Dale S. Nash, Investigator for the department, on September 16, 1991.

In support of the petition, petitioner offered a verified Complaint setting forth the allegation that respondent had consumed cocaine for nonmedical purposes, in violation of Wis. Adm. Code sections Med 10.02(2)(h) and (r), and Wis. Stats. sec. 161.41(2)(c); and the sworn testimony of Dale S. Nash, setting forth the investigative findings upon which the Complaint and the Petition in this matter are based. Nash's testimony was, in part, that respondent had admitted the activity alleged in the Complaint.

The board met on September 25, 1991, and considered whether, based upon the assertion of facts described above, there is probable cause to believe that the respondent has engaged in or is likely to engage in conduct such that the public health, safety or welfare imperatively requires emergency suspension of the respondent's license.

Based upon petitioner's Petition and the testimony in support thereof, the board makes the following Findings and Order.

FINDINGS

1. Pursuant to Wis. Stats. sec. 448.02(4), there is probable cause to believe that respondent has violated Wis. Stats. ch. 448 and it is necessary to suspend the license immediately to protect the public health, safety or welfare.

2. Pursuant to Wis. Stats. sec. 227.51(3) and Wis. Adm. Code sec. RL 6.06(1), there is probable cause to believe that respondent has engaged in or is likely to engage in conduct such that the public health, safety or welfare imperatively requires emergency suspension of the respondent's license.

3. There is probable cause to believe that respondent has violated the terms of the board's Order Granting the Limited License dated August 18, 1991.

4. Under the terms of the board's August 18, 1991, Order, violation of the terms and conditions of the order shall result in summary suspension of the license, and the Order does not establish any right to termination of the period of suspension prior to the effective date of the final decision and order made in the disciplinary proceeding against the respondent.

ORDER

NOW, THEREFORE, IT IS ORDERED that petitioner's Petition for Summary Suspension of License be, and hereby is, granted, and the license of Gregory B. Jackson to practice medicine and surgery in the State of Wisconsin is hereby summarily suspended. The suspension of the license shall remain in effect through the effective date of the final decision and order made in the disciplinary proceeding against Dr. Jackson.

NOTICE OF RIGHT TO HEARING TO SHOW CAUSE

PLEASE TAKE NOTICE that respondent has a right under Wis. Adm. Code sec. RL 6.09 to request a hearing to show cause why this summary suspension order should not be continued until the effective date of the final decision and order in the disciplinary action against the respondent. The request should be filed with the State of Wisconsin Medical Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin. If a hearing to show cause is requested, the hearing shall be scheduled to be held on a date within 20 days of the date of receipt in the board office of the request for hearing, unless a later time is requested by or agreed to by the respondent.

If a hearing to show cause is held, both the petitioner and the respondent may testify, may call, examine and cross-examine witnesses, and may offer other evidence. The petitioner shall have the burden to show by a preponderance of the evidence why the summary suspension order should be continued. At the conclusion of the hearing to show cause, the Medical Examining Board shall make findings and an order. If it is determined that the summary suspension order should not be continued, the suspended license shall be immediately restored.

Dated at Madison, Wisconsin this 25th day of September, 1991.

STATE OF WISCONSIN MEDICAL EXAMINING BOARD

by Michael P. Mehr MD
Michael P. Mehr, M.D.
Secretary